

SCOTTSDALE

CITY COUNCIL MEETING

SECOND AMENDED MEETING NOTICE AND AGENDA

[ADDED CONSENT AGENDA ITEM NO. 21A; AND MAYOR AND COUNCIL ITEM NO. 29]



COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Tony Nelssen

Tuesday, June 3, 2008

5:00 P.M.

CITY COUNCIL MEETING

MARKED AGENDA

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:19 PM**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **COUNCILMAN ECTON**

Invocation – **PASTOR PATRICK SULLIVAN, SCOTTSDALE BIBLE CHURCH**

City Manager's Report – **MR. LITTLE COMMENDED THE SOLID WASTE STAFF ON DOING A GREAT JOB PICKING UP CITY-WIDE REFUSE, AND ENCOURAGED RESIDENTS TO BE DILIGENT IN RECYCLING WASTE PRODUCTS; ANNOUNCED THAT THE NATIONAL LEAGUE OF CITIES' STEERING COMMITTEE ON PUBLIC SAFETY AND CRIME PREVENTION WILL BE MEETING IN THE CITY AT THE INVITATION OF COUNCILMAN LANE; ANNOUNCED THAT THE CITY WAS LISTED AS NUMBER 9 IN THE NEW YORK TIMES LIST OF GREAT PLACES TO VISIT THIS SUMMER; AND ANNOUNCED THAT JUNE 1-7 IS NATIONAL CPR AND AED AWARENESS WEEK AND THE CITY FIRE DEPARTMENT WILL BE HOSTING A FREE COMMUNITY WORKSHOP TO TEACH A NEW CPR TECHNIQUE CALLED CONTINUOUS CHEST COMPRESSIONS**

Presentations/Information Updates

Approval of Minutes

- OK – 7/0

REGULAR MEETINGS

SPECIAL MEETINGS

WORK STUDY SESSIONS

EXECUTIVE SESSIONS

[May 6, 2008](#)

[May 13, 2008](#)

[May 20, 2008](#)

Public Comment – **JOHN WASHINGTON PRESENTED A CITIZEN PETITION ASKING THE COUNCIL TO SUBMIT ANY CHANGES OR UPDATES OF THE CURRENT DOWNTOWN PLAN TO CITY VOTERS CONCURRENT WITH THE 2010 CITY GENERAL PLAN ELECTION**

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during "Public Comment" time.**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

CONSENT AGENDA

ITEMS 1-21A

Tuesday, June 3, 2008

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How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Request to Speak card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. **CVS Pharmacy No. 89 Liquor Store Liquor License (32-LL-2008) – APPROVED ON CONSENT**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 9 (liquor store) liquor license for a person and location transfer to an existing business.
Location: 10010 N. Scottsdale Road
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Planning and Administration Officer, 480-312-2664, cpadian@scottsdaleaz.gov
2. **AJ's No. 173 Liquor Store Liquor License (33-LL-2008) – APPROVED ON CONSENT**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 9 (liquor store) liquor license location transfer for a new location.
Location: 18271 N. Pima Road
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Planning and Administration Officer, 480-312-2664, cpadian@scottsdaleaz.gov
3. **Classic Cooking Permanent Extension of Premises (24-EX-2008) – APPROVED ON CONSENT**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for Classic Cooking.
Location: 10411 E. McDowell Mountain Ranch Road, Suite D2
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Planning and Administration Officer, 480-312-2664, cpadian@scottsdaleaz.gov
4. **Carmichael Court Abandonment (24-AB-2005) – APPROVED ON CONSENT**
Requests:
 1. Abandon the east 10 feet of North 108th Street right-of-way located near East Ironwood Drive.
 2. Abandon the East Ironwood Drive right-of-way cul-de-sac located east of North 108th Street.
 3. Adopt **Resolution No. 7590** vacating and abandoning public rights-of-way.**Location:** 10837, 10846, 10873, and 10876 E. Ironwood Drive
Related Policies, References: Case No. 25-PP-2005 is a related request for a preliminary plat to add a fourth lot to this subdivision, and to create a private street tract for the East Ironwood Drive cul-de-sac.
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Lusía Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

CONSENT AGENDA

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5. **Carmichael Court Final Plat (25-PP-2005) – APPROVED ON CONSENT**

Request: Approve a Final Plat for a four-lot single-family subdivision on a 4.88± acre parcel.

Location: 10837, 10846, 10873, and 10876 E. Ironwood Drive

Related Policies, References: Case No. 24-AB-2005 abandoned the east 10 feet of North 108th Street right-of-way located near East Ironwood Drive, and the East Ironwood Drive right-of-way cul-de-sac located east of North 108th Street.

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

6. **Scottsdale East Plaza Rezoning (13-ZN-2007) – MOTION TO CONTINUE TO JULY 1, 2008 – OK – 7/0**

Requests:

1. Rezone from Regional Shopping Center District (C-S) to Highway Commercial District (C-3) for a 3.65-acre shopping center located at the southeast corner of North Hayden Road and East Roosevelt Street.
2. Adopt **Ordinance No. 3786** affirming the rezoning.
3. Adopt **Resolution No. 7612** authorizing the Mayor to execute Development Agreement No. 2008-083-COS for the proposed use limitations on the site.

Location: 909 N. Hayden Road

Related Policies, References:

- General Plan
- 2-AB-2008 (being processed concurrently with 13-ZN-2007)
- 22-DR-2002#2 (approved on June 17, 2004, but has since expired)
- 20-DR-2007 (to be reviewed by the Development Review Board following City Council action on the associated rezoning and abandonment cases)

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

7. **Alarm Systems Ordinance Revisions – APPROVED ON CONSENT**

Requests:

1. Adopt **Resolution No. 7624** declaring the document entitled “Chapter 3 Alarm Systems” to be a public record.
2. Adopt **Resolution No. 7625** authorizing a revised Alarm Systems Fee Schedule effective September 1, 2008.
3. Adopt **Ordinance No. 3796** repealing, in its entirety, Chapter 3 of the Scottsdale Revised Code, and adopting, in its entirety, a new Chapter 3, Alarm Systems, relating to the regulation of alarm businesses, alarm agents, and alarm users.
4. Adopt **Resolution No. 7626** recognizing the cities of Chandler, Mesa, Phoenix and Tucson as reciprocal licensing cities.

Related Policies, References:

- Article 1, Chapter 3, Ordinance No. 3991, Alarm Systems
- Article 1, Chapter 16, Ordinance No. 3509, In General – License, Taxation and Miscellaneous Business Regulations

Staff Contact(s): Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Deborah Johnson, Customer Service Director, 480-312-2463, djohnson@scottsdaleaz.gov

CONSENT AGENDA

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8. **Contract for Unarmed Security Guard Services – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7618** authorizing Service Contract No. 2008-086-COS with Akal Security in the amount of \$1,337,246.72 to provide specified security guard services to identified City facilities.
Related Policies, References: RFP No. 08RP017
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

9. **Contract for FY 2008/09 Destination Marketing Services – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7613** approving Contract No. 2008-084-COS, the “Marketing Services Agreement between the City of Scottsdale and the Scottsdale Convention and Visitors Bureau, Inc.”; and authorizing \$7,191,828 for provision of these services in FY 2008/09. The Tourism Development Commission recommended approval of this request at their March 18, 2008 meeting.
Related Policies, References: City of Scottsdale Ordinance Nos. 2045/3576 (amended) and 2049/2702/3577 (amended) provide for funding of a destination marketing program on behalf of the City and the Scottsdale tourism industry from the City’s bed tax revenues.
Staff Contact(s): Harold Stewart, Acting Economic Vitality General Manager, 480-312-2311, hstewart@scottsdaleaz.gov; Kathy Carlisle O’Connor, Tourism Development Manager, 480-312-7057, kcoconnor@scottsdaleaz.gov

10. **Annual Economic Development Marketing Contract with GPEC – APPROVED ON CONSENT**
Requests:
 1. Adopt **Resolution No. 7621** approving Contract No. 2008-089-COS with the Greater Phoenix Economic Council (GPEC) and authorizing General Funds in the amount of \$93,577 for provision of regional economic development marketing services.**Related Policies, References:** Economic Vitality Strategic Plan
Staff Contact(s): Harold Stewart, Acting Economic Vitality General Manager, 480-312-2311, hstewart@scottsdaleaz.gov

11. **Purchase of Property-Casualty Insurance for the Period of July 1, 2008 to June 30, 2009 – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7638** authorizing the:
 1. Purchase of General Liability, Vehicle Liability and Public Officials Errors and Omission insurance protection of \$50,000,000 Limits of Liability per occurrence and annual aggregate coverage from various insurers for claims in excess of the City’s self-insured retention amount of \$2,000,000 per occurrence for a cost of \$491,989.
 2. Purchase of Property insurance on approximately \$710 million of buildings, contents and equipment replacement values in excess of the deductible portions from Travelers Insurance Company at a cost of \$492,003.
 3. Purchase of Workers’ Compensation insurance from Midwest Employers Casualty Company in excess of the City’s proposed self-insured retention amount of \$750,000 for a cost of \$136,544. Grant exemption from requirement to post security for City of Scottsdale self-insured workers compensation claims.
 4. Purchase of Scottsdale Airport Liability and Hangarkeepers’ Legal Liability insurance of \$200,000,000 per occurrence and annual aggregate limits of Airport Liability coverage and \$200,000,000 for Hangarkeepers’ Legal Liability coverage from insurer ACE USA at a cost of \$75,716.**Staff Contact(s):** Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Pauline Hecker, Risk Management Director, 480-312-7841, phecker@scottsdaleaz.gov

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12. **Professional Services Contract for Financial Advisor – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7588** authorizing the Mayor to sign Professional Services Agreement No. 2008-076-COS with Piper Jaffray & Co. for financial advisory services on all bond or transacted capital financings.
Staff Contact(s): Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Lee Guillory, Finance Manager, 480-312-7084, lguillory@scottsdaleaz.gov

13. **Annual Participation Agreement with Scottsdale Cultural Council – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7537** authorizing Agreement No. 2008-049-COS, an annual financial participation agreement between the City and the Scottsdale Cultural Council for FY 2008/09 in the amount of \$5,485,227 for the purpose of administering the arts and cultural activities for the City, pursuant to the terms of the Management Services Agreement.
Related Policies, References:
 - Management Services Agreement No. 2008-048-COS, approved on May 20, 2008.
 - Ordinance No. 3781, Art in Public Places**Staff Contact(s):** Michelle Korf, Acting Downtown Group Executive Director, 480-312-2539, mkorf@scottsdaleaz.gov

14. **Construction Services Contract Modification for Scottsdale Road Improvements from Frank Lloyd Wright Boulevard to Union Hills Drive, Phase 2 – APPROVED ON CONSENT**
Request: Adopt **Resolution No. 7238** authorizing CM@Risk Construction Phase Services Contract Modification No. 2007-037-COS-A1 with Hunter Contracting Co., at a guaranteed maximum price of \$13,184,561.69 for phase 2 improvements to Scottsdale Road from Frank Lloyd Wright Boulevard to Union Hills Drive.
Related Policies, References:
 - On November 18, 2002, Council approved Engineering Services Contract No. 2002-144-COS with Dibble Engineering for the design of Scottsdale Road improvements from Frank Lloyd Wright Boulevard to Thompson Peak Parkway.
 - On November 19, 2002, Council approved Development Agreement No. 2002-141-COS with the Arizona State Land Department.
 - On November 19, 2002, Council approved Development Agreement No. 2002-142-COS with Corrigan and DMB.
 - On November 16, 2004, Council approved Construction Bid Award No. 03PB101 for construction of Scottsdale Road from Union Hills Drive to the 101 Freeway.
 - On March 8, 2005, Council approved Intergovernmental Agreement No. 2005-028-COS with the City of Phoenix, for cost sharing of capital costs associated with Scottsdale Road from Frank Lloyd Wright Boulevard to the 101 Freeway.
 - On December 11, 2006, Council approved CM@Risk Design Phase Service Contract No. 2006-207-COS with Hunter Contracting for pre-construction services for Scottsdale Road improvements between Frank Lloyd Wright Boulevard and Thompson Peak Parkway.
 - On March 20, 2007, Council approved CM@Risk Construction Phase Services Contract No. 2007-037-COS for construction of utilities infrastructure related to the Scottsdale Road project.
 - On March 20, 2007, Council authorized acquisition of right-of-way and easement interests necessary for construction of Scottsdale Road improvements.**Staff Contact(s):** Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

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15. **Construction Services Contract for Gateway Access Area (Preserve Trailhead) Improvements, Phase 1 – APPROVED ON CONSENT**

Request: Adopt **Resolution No. 7593** authorizing CM@Risk Contract No. 2008-078-COS with Valley Rain Construction Corporation for phase 1 construction services at the Gateway Access Area (Preserve Trailhead) for a guaranteed maximum price of \$1,260,000.

Related Policies, References: This project is consistent with the following:

- McDowell Sonoran Preserve Access Areas Report, approved by the McDowell Sonoran Preserve Commission, accepted by the City Council in 1994 and updated in 1999.
- Conceptual Preserve Trails Plan approved by the McDowell Sonoran Preserve Commission and accepted by the City Council in 1998.
- Trails Master Plan, approved by the City Council in February 2004.
- McDowell Sonoran Preserve Access Area Design and Site Standards Manual serves as the basis for preparation of the design and construction plans for the Gateway Access Area amenities.
- The Preserve Ordinance, approved by the City Council in May 2000, establishes general rules and regulations for activities in the McDowell Sonoran Preserve. Provisions of this ordinance will manage public use of access areas and trails within the Preserve.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776,
dworth@scottsdaleaz.gov

16. **Engineering Services Contract Modifications for Design of On-Call Storm Water Systems Improvements – APPROVED ON CONSENT**

Request: Adopt **Resolution No. 7616** approving contract modifications to the following on-call service contracts for the design of storm water management system improvements:

1. Engineering Services Contract Modification o. 2007-018-COS-A1 with Primatech, LLC, for an amount not to exceed \$50,000.
2. Engineering Services Contract Modification No. 2007-019-COS-A1 with WRG Design, Inc., for an amount not to exceed \$50,000.
3. Engineering Services Contract No. 2007-020-COS-A1 with AMEC Infrastructure for an amount not to exceed \$50,000.
4. Engineering Services Contract Modification No. 2007-021-COS-A1 with Gavan and Barker for an amount not to exceed \$50,000.

Related Policies, References: On February 20, 2007, Council approved Engineering Service Contracts No. 2007-018-COS with Primatech, LLC; No. 2007-019-COS with WRG Design, Inc.; No. 2007-020-COS with AMEC Infrastructure; and No. 2007-021-COS with Gavan and Barker, Inc., for on-call design of storm water systems improvements.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776,
dworth@scottsdaleaz.gov

17. **Acquisition of Rights-of-Way for Happy Valley/Hayden Road Water and Sewer Improvements – APPROVED ON CONSENT**

Request: Adopt **Resolution No. 7406** authorizing the acquisition of various rights-of-way from properties located along Happy Valley Road, Hayden Road, and Yearling Road for the Happy Valley/Hayden sewer project.

Related Policies, References: On April 10, 2007, Council approved Engineering Services Contract No. 2007-039-COS with Valentine Environmental Engineers for on-call design of water and sewer improvements.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776,
dworth@scottsdaleaz.gov

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18. **Crosscut Canal Multi-Use Path Improvements Easement Grant** – MOTION TO CONTINUE TO JULY 1, 2008 – OK – 7/0

Request: Adopt **Resolution No. 7591** granting an easement to Salt River Project to allow placement of an interpretive monument and park bench adjacent to the Crosscut Canal Multi-Use Path, located north of McDowell Road on the west side of the Canal.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

19. **Revised Maricopa Association of Governments Uniform Standard Specifications and Details for Public Works Construction and Scottsdale Supplements** – APPROVED ON CONSENT

Requests:

1. Adopt **Resolution No. 7574**, declaring the document entitled “Uniform Standard Specifications for Public Works Construction, sponsored and distributed by the Maricopa County Association of Governments (MAG), 1998, Arizona” to be a public record.
2. Adopt **Resolution No. 7575**, declaring the document entitled “City of Scottsdale 2008 Supplement to MAG Uniform Standard Specifications for Public Works” to be a public record.
3. Adopt **Ordinance No. 3787**, adopting the Uniform Standard Specifications and Details for Public Works Construction, 1998 (includes revisions through 2008); sponsored and distributed by the Maricopa Association of Governments (MAG), amending Chapter 47, Section 47-1, Public Works Standards Adoption; and adopting the 2008 City of Scottsdale Supplements to MAG Uniform Standard Specifications and Details for Public Works Construction, effective July 3, 2008.

Related Policies, References: The City Council first adopted Uniform Standard Specifications for Public Works Construction, sponsored and distributed by the Maricopa Association of Governments, in 1979. Council has annually adopted updates to the MAG Specifications and Details and the City of Scottsdale Supplemental Specifications and Details.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

20. **Construction Services Contract Modification for Indian School Road Improvements, Phase 2** – APPROVED ON CONSENT

Request: Adopt **Resolution No. 7603** authorizing Construction Phase Services CM@Risk Contract Modification No. 2008-029-COS-A1 with Achen Gardner Engineering, LLC, at a guaranteed maximum price of \$4,839,223.30 for phase 2 of the Indian School Road project improvements between Hayden and Pima roads.

Related Policies, References:

- On September 21, 2004, Council approved Engineering Services Contract No. 2004-116-COS for the design of Indian School Road improvements between Drinkwater Boulevard and Pima Road.
- On September 19, 2006, Council approved CM@Risk Design Phase Services Contract No. 2006-150-COS for pre-construction services.
- On May 20, 2008, Council approved Resolution No. 7553 authorizing acquisition of various rights-of-way on Indian School Road between Drinkwater Boulevard and Pima Road.
- On April 1, 2008, Council approved CM@Risk Construction Phase Services Contract No. 2008-029-COS for construction of phase 1 improvements.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

CONSENT AGENDA

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21. **Pre-Construction Services Contract for Water Quality Improvements at the Central Groundwater Treatment Facility – APPROVED ON CONSENT**

Request: Adopt **Resolution No. 7534** authorizing CM@Risk Pre-Construction Services Contract No. 2008-060-COS with Currier Construction, Inc., in the amount of \$1,945,157.18 for water quality improvements – southern neighborhoods at the Central Groundwater Treatment Facility.

Related Policies, References:

- On January 7, 2002, Council authorized Engineering Services Contract No. 2002-001-COS with Malcolm Pirnie, Inc., for the design of water quality improvements – southern neighborhoods.
- On July 9, 2007, Council adopted Resolution No. 7303 authorizing Engineering Services Contract Modification No. 2002-001-COS-A1 with Malcolm Pirnie, Inc., for phase 2 design of the water quality improvements to upgrade the Central Groundwater Treatment Facility with a reverse osmosis system and to make improvements to the Pima Park multi-use building.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

***21A. **Appointment of Acting City Auditor – APPROVED ON CONSENT**

Request: Request: Consider the appointment of Brent Stockwell, Acting City Auditor, effective June 4, 2008.

Related Policies, References: City Charter, Article 2, Section 20; and Scottsdale Revised Code, Section 2-117

Staff Contact(s): Neal Shearer, Assistant City Manager/Acting Human Resources General Manager, 480-312-2604, nshearer@scottsdaleaz.gov

Regular Agenda begins on the following page

REGULAR AGENDA

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How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

22. Arizona Public Service Granite Reef Substation Conditional Use Permit (28-UP-2007) – MOTION TO APPROVE, AND FINDING IN CONFORMANCE WITH THE CONDITIONAL USE PERMIT CRITERIA – OK – 6/1 (TN)

Requests:

1. Approve a Conditional Use Permit for an Arizona Public Service (APS) substation on a 3.21 acre parcel located at 19550 N. 76th Street.
2. Adopt **Resolution No. 7600** affirming the Conditional Use Permit and finding that the conditional use permit criteria have been met.

Related Policies, References: 19-ZN-2002, Crossroads East PCD

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Lusía Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

23. Truth in Taxation Public Hearing on Proposed Fiscal Year 2008/09 Property Tax Levy – MOTION TO CONSIDER ADOPTION OF PROPERTY TAX LEVY – OK – 7/0 BY ROLL CALL VOTE

Requests:

1. Receive public input relative to the proposed FY 2008/09 property tax levy.
2. By a roll-call vote, approve a motion to consider adoption of the property tax levy on June 17, 2008 in accordance with Arizona Revised Statutes (42-17107) and the City Charter (Article 6 Finance and Taxation, Section 7 Adoption of Ordinance Fixing Tax Rate).

Staff Contact(s): Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Scott McCarty, Assistant Financial Services General Manager, 480-312-7582, smccarty@scottsdaleaz.gov

24. Third and Final Public Hearing on the FY 2008/09 Operating Budget and Capital Improvement Plan – CRAIG CLIFFORD PRESENTATION

Request: Solicit public testimony on the FY 2008/09 Operating Budget and Capital Improvement Plan.

Staff Contact(s): Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Scott McCarty, Assistant Financial Services General Manager, 480-312-7582, smccarty@scottsdaleaz.gov; Art Rullo, Budget Director, 480-312-2435, arullo@scottsdaleaz.gov

Mayor and Council Items begin on the following page

MAYOR AND COUNCIL

ITEMS 25-29

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25. **Citizen Petition Requesting Editions of City's Design Standards and Policy Manuals be Made Available in all City Libraries – NO ACTION TAKEN**
Request: Consideration of, and possible action on, a citizen petition, as provided for by the City Charter, requesting the Mayor and City Council direct staff to immediately provide past editions of the City's Design Standards and Policy manuals to all City libraries for citizen review. The petition was provided to the Council at the May 6, 2008 City Council Meeting by Mr. Leon Spiro.
Related Policies, References: City Charter, Article 2, Section 16 states: "Consideration of petitions. Any citizen of the city may appear before the council at any regular meeting and present a written petition; such petition shall be acted upon by the council, in the regular course of business, within thirty (30) days."
Staff Contact(s): Lisa Blyler, Assistant to the Mayor and Council, 480-312-2492, lblyler@scottsdaleaz.gov

26. **Citizen Petition Requesting Water Fountains and Troughs at Western Entrance to Pinnacle Peak Park – NO ACTION TAKEN**
Request: Consideration of, and possible action on, a citizen petition, as provided for by the City Charter, requesting the City Council direct Parks and Recreation personnel to install water fountains and troughs at the western entrance to Pinnacle Peak Park and at appropriate distances along hiking trails within the Park. The petition was provided to the Council at the May 6, 2008 City Council Meeting by Mr. Leon Spiro.
Related Policies, References: City Charter, Article 2, Section 16 states: "Consideration of petitions. Any citizen of the city may appear before the council at any regular meeting and present a written petition; such petition shall be acted upon by the council, in the regular course of business, within thirty (30) days."
Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

27. **Citizen Petition Requesting a Four-Month Moratorium on Candidate Campaign and Political Signs – NO ACTION TAKEN**
Request: Consideration of, and possible action on, a citizen petition, as provided for by the City Charter, asking the City Council to allow a four-month moratorium on its restriction on the placement of candidate campaign and political signs in rights-of-way, vacant land, corner lots, and fences. The petition was provided to the Council at the May 6, 2008 City Council Meeting by Mr. Leon Spiro.
Related Policies, References: City Charter, Article 2, Section 16 states: "Consideration of petitions. Any citizen of the city may appear before the council at any regular meeting and present a written petition; such petition shall be acted upon by the council, in the regular course of business, within thirty (30) days."
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov

28. **Legislative Update – WITHDRAWN**
Request: Provide an update to the City Council and receive possible direction regarding current and pending State legislative issues and policies.
Staff Contact(s): Bridget Schwartz-Manock, Intergovernmental Relations Director, bschwartzmanock@scottsdaleaz.gov, 480-312-2423

MAYOR AND COUNCIL

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- ***29. **Charter Amendment Requiring the City Attorney to Reside Within the City Limits – MOTION TO DIRECT STAFF TO PLACE ON THE NEXT AVAILABLE ELECTION BALLOT A PROPOSITION AMENDING THE CITY CHARTER TO REQUIRE THAT THE CITY ATTORNEY BE DESIGNATED AS AN OFFICER AND RESIDE WITHIN THE SCOTTSDALE CITY LIMITS – FAILED – 3/4 (MM, BD, WE, RM)**

Request: At the request of Councilman Tony Nelssen, discussion and possible direction to staff to place, on the next available election ballot, a proposition amending the City Charter to require the City Attorney to reside within the Scottsdale city limits.

Public Comment – NONE

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk before or during this evening’s meeting. Please check the box that refers to “Public Comment.” This “Public Comment” time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

Adjourn the Regular City Council Meeting and Convene the City Council Special Meeting – **9:40 PM**

SPECIAL AGENDA ITEM 1

CITY COUNCIL SPECIAL MEETING

1. **Adoption of Final Budget Estimates FY 2008/09 – MOTION TO APPROVE – OK – 6/1 (RM)**
Request: Adopt Ordinance No. 3792, the Final Budget Estimates for FY 2008/09, in accordance with Arizona Statutes and the City Charter.
Staff Contact(s): Craig Clifford, Financial Services General Manager/CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Scott McCarty, Assistant Financial Services General Manager, 480-312-7582, smccarty@scottsdaleaz.gov; Art Rullo, Budget Director, 480-312-2435, arullo@scottsdaleaz.gov

Mayor and Council Items

Adjourn the Special City Council Meeting and Convene: **- 9:42 PM**

- **[DC Ranch Community Facilities District Board of Directors \(Agenda Attached\)](#)**
- **[McDowell Mountain Ranch Community Facilities District Board of Directors \(Agenda Attached\)](#)**
- **[Scottsdale Mountain Community Facilities District Board of Directors \(Agenda Attached\)](#)**
- **[Via Linda Community Facilities District Board of Directors \(Agenda Attached\)](#)**
- **[Waterfront Commercial Community Facilities District Board of Directors \(Agenda Attached\)](#)**

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
DC RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the DC Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 3, 2008 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **9:42 PM**
2. Approval of Minutes of Tuesday, June 5, 2007 – **OK – 7/0**
3. Adopt Resolution No. 27, which sets out preliminary budget and calls for Public Hearing – **OK – 7/0**
4. Call for Public Comments on the budget – **NONE**
5. Adopt Resolution No. 28, which approves the budget, authorizes excess operation and maintenance funds be used to offset debt service expense, and sets tax levy – **OK – 7/0**
6. Adjournment – **9:45 PM**

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
McDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 3, 2008 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **9:46 PM**
2. Approval of Minutes of Tuesday, June 5, 2007 – **OK – 7/0**
6. Adopt Resolution No. 39, which sets out preliminary budget and calls for Public Hearing – **OK – 7/0**
7. Call for Public Comments on the budget – **NONE**
8. Adopt Resolution No. 40, which approves the budget and sets tax levy – **OK – 7/0**
6. Adjournment – **9:46 PM**

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE MOUNTAIN COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Mountain Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 3, 2008 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **9:46 PM**
2. Approval of Minutes of Tuesday, June 5, 2007 – **OK – 7/0**
3. Adopt Resolution No. 42, which sets out preliminary budget and calls for Public Hearing – **OK – 7/0**
4. Call for Public Comments on the budget – **NONE**
5. Adopt Resolution No. 43, which approves the budget and sets tax levy – **OK – 7/0**
6. Adjournment – **9:47 PM**

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
VIA LINDA COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Via Linda Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 3, 2008 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **9:47 PM**
2. Approval of Minutes of Tuesday, June 5, 2007 – **OK – 7/0**
3. Adopt Resolution No. 23, which sets out preliminary budget and calls for Public Hearing – **OK – 7/0**
4. Call for Public Comments on the budget – **NONE**
5. Adopt Resolution No. 24, which approves the budget and sets tax levy – **OK – 7/0**
6. Adjournment – **9:48 PM**

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE WATERFRONT COMMERCIAL
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 3, 2008 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **9:48 PM**
2. Approval of Minutes of Tuesday, January 22, 2008 – **OK – 7/0**
3. Call for Hearing and Public Comments on Feasibility Report
4. Adopt Resolution No. 9, which sets out preliminary budget – **OK – 7/0**
5. Call for Hearing and Public Comments on budget – **NONE**
6. Adopt Resolution No. 10, which approves the budget and sets tax levy – **OK – 7/0**
7. Adjournment – **9:49 PM**